

No. 11(112)-80-8 Lab/12626.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer Labour Court, Faridabad in respect of the dispute between the workman and the management of M/s. Didi Mode (P) Ltd., 14/3 Mathura Road, Faridabad.

IN THE COURT OF SHRI ISHWAR PRASAD CHAUDHRY, PRESIDING OFFICER, LABOUR COURT, HARYANA, FARIDABAD

Reference No 45 of 1979

between

SHRIMATI OMWATI DEVI WORKMAN AND THE MANAGEMENT OF M/S DIDI MODES (P) LTD., 14/3 MATHURA ROAD, FARIDABAD

Present :—

Shrimati Omwati Devi, Lady Workman in person.
Shri Anil Khular, Personal Officer with Shri Ajant Kumar.

AWARD

This reference No. 45 of 1979 has been referred to this court by the Hon'ble Governor of Haryana—*vide* his order No. ID/FD/179-79/51431, dated 5th December, 1979 under section 10(i)(c) of the Industrial Disputes Act, 1947 for adjudication of the dispute existing between Smt. Omwati Devi workman and the management of M/s Didi Modes (P) Ltd., 14/3 Mathura Road, Faridabad. The term of the reference was —

“Whether the termination of services of Shrimati Omwati Devi was justified and in order ? If not, to what relief is she entitled ?”

After receiving this reference, notices were issued to the parties. The parties appeared and filed their pleadings. Both the parties produced their evidence. On the last date of hearing, the case was fixed for arguments, when the workman Shrimati Omwati Devi made a statement in this court on oath that she had settled her dispute with the respondent management and had also received a sum of Rs. 1,900 (Rupees one thousand and nine hundred only) in full and final settlement of all her dues and dispute including the right of her re-instatement or re-employment. She further stated that there is now no dispute between the parties. This statement was duly agreed to by the representative of the management.

It is not necessary to go into the merits of the case, as I thus relying on the statements of both the parties hold that the demand raised by the workman against the management leading to this reference had been duly satisfied. There is now no dispute remains to be adjudicated between the parties. The workman is not entitled to any relief. No order as to costs. This be read in answer to this reference.

Dated the 3rd November, 1980

ISHWAR PRASAD CHAUDHRY,
Presiding Officer,
Labour Court, Haryana,
Faridabad.

Endst. No. 2061, dated 10th November, 1980

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947, with the request that the receipts of the above said award may please be acknowledge within week's time.

ISHWAR PRASAD CHAUDHRY,
Presiding Officer,
Labour Court, Haryana, Faridabad.

No. 11(112)-80-8Lab/12634.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s Harbhajan Printing Press, Joginder Market, Yamuna Nagar.

BEFORE SHRI BANWARI LAL DALAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 76 of 1978

between

SHRI SURESH KUMAR, WORKMAN AND THE MANAGEMENT OF M/S HARBHAJAN PRINTING PRESS, JOGINDER MARKET, YAMUNA NAGAR

Present :—

Shri Surinder Kumar, for the workman.
Shri W. C. Sharma, for the management.

AWARD

This reference No. 76 of 1978 has been referred to this court by the Hon'ble Governor,—*vide* his order No. ID/Amb/21-A-78/18002, dated 11th May, 1978 under section 10(i)(c) of the Industrial Disputes Act, 1947 for adjudication of dispute existing between Shri Suresh Kumar, workman and the management of M/s Harbhajan Printing Press, Yamuna Nagar. The term of reference was —

“Whether the termination of services of Shri Suresh Kumar was justified and in order ? If not, to what relief is he entitled ?

On the receipt of the order of reference notices as usual were sent to the parties. The parties put in their appearance through their authorised representative. The management did not appear on 22nd November, 1978 and was proceeded against *ex parte*. *Ex parte* evidence of the workman was recorded on 21st February, 1979. The order of *ex parte* proceedings against the management was set aside on 28th November, 1979. The parties filed their pleadings and issues were framed on 18th March, 1980 and the management was asked to adduce their evidence on 29th May, 1978. Several adjournments was granted to the management for the same purpose and at last on 30th October, 1980 the parties filed a settlement, dated 13th May, 1980 arrived at between them which is Exhibit M-1 and also a cash receipt for Rs. 2,000 in lieu of full and final payment of all the claim of the workman and the statement of the authorised representative of the workman has also been recorded in this behalf. I answer the reference in terms of settlement Exhibit M-1 and the cash receipt Exhibit M-2 and return the same in the se terms. No order as to costs.

Dated the 30th October, 1980

BANWARI LAL DALAL,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

Endst. No. 2682, dated 3rd November, 1980

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, .

BANWARI LAL DALAL,

Presiding Officer,
Labour Court, Haryana, Rohtak.

No. 11(112)-80-8Lab/12656.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s Suraj Steel Ltd., Sonapat.

BEFORE SHRI BANWARI LAL DALAL, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK

Reference No. 226 of 79

between

SHRI ANAND SARUP, WORKMAN AND THE MANAGEMENT OF M/S SURAJ STEEL
LIMITED, SONEPAT

Present .—

No one for the workman.

Shri Kanwal Singh, for the management.

AWARD

This reference No. 226 of 79 has been referred to this court by the Hon'ble Governor,—*vide* his order No. ID/SPT/162-79/52635, dated 12th December, 1979 under section 10(i)(c) of the Industrial Disputes Act, 1947 for adjudication of dispute existing between Shri Anand Sarup, workman and the management of M/s Suraj Steel Limited, Sonapat. The term of the reference was —

Whether the termination of services of Shri Anand Sarup, was justified and in order ? If not, to what relief is he entitled ?

On the receipt of the order of reference notices as usual were sent to the parties. The parties appeared on 7th March, 1980 and the case was fixed for admission and denial by the applicant on 7th April, 1980. The workman could not be contacted and his authorised representative filed the home address of the workman on 23rd May, 1980. No one appeared from either side on the next date fixed. Fresh notices were issued to both the parties for 18th August, 1980 but none appeared on behalf of the workman and notice was received back with the report of the Postman "Address not known return to sender". The General Secretary of the Union and the authorised representative of the workman Shri S. N. Solanki stated at the bar that the workman has not any instructions to him and his whereabouts are not known to the Union. No other address of the workman was available on the file, the workman was then proceeded against *ex parte*. The *ex parte* evidence of the management was recorded on 14th October, 1980. Shri Kanwal Singh the authorised representative of the management was examined as the sole management witness. He deposed that the workman settled his dispute with the management in full and final on 27th August, 1979 after a period of two months when he raised the demand on the management. He produced the vouchers Exhibit MW and Exhibit MW 1/2,—*vide* which the workman received Rs. 425.80 paise and 124.20 paise in respect of all his dues respectively.

As the workman did not choose to contest his case and decided not to participate in the proceedings the Statement of MW-1 has to be relied upon when it is made on oath and more so when in *ex parte* proceedings, I arrived at the conclusion that the workman has settled his dispute in full and final with the management and the action of the management is justified and in order and the workman is not entitled to any relief. The reference is answered and returned in these terms.

Dated the 31st October, 1980

BANWARI LAL DALAL,
Presiding Officer,
Labour Court, Haryana, Rohtak.

Endst. No. 2760, dated 8th November, 1980

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Department as required under section 15 of the Industrial Disputes Act.

BANWARI LAL DALAL,
Presiding Officer,
Labour Court, Haryana, Rohtak.

The 9th December, 1980

No. 11(112)-80-8Lab/12980.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workmen and the management of M/s Tul Par Machine and Tool Company, Sector 6, Faridabad:—

BEFORE SHRI M.C. BHARDWAJ, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA, FARIDABAD

Reference No 143 of 1979

between

SHRI RAM PAL YADAV, WORKMAN AND THE MANAGEMENT OF M/S TUL PAR MACHINE AND TOOL COMPANY, SECTOR-6, FARIDABAD

Present.—

Shri K. L. Sharma for the workman.

Shri J. S. Saroha for the management.

AWARD

By order No. ID/FD/16-79/18234, dated 3rd May, 1979, the Governor of Haryana referred the following dispute between the management of M/s Tul Par Machine and Tool Company, Sector-6, Faridabad and its workman Shri Ram Pal Yadav, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Ram Pal Yadav was justified and in order? If not, to what relief is he entitled?

On receipt of the order of reference, notices were issued to the parties. The representative for the workman appeared but the representative for the management did not appear. Then, the case was proceeded *ex parte* against the management and *ex parte* evidence of the workman was recorded. But after some time the management filed an application for setting aside *ex parte* award. *Ex parte* award was set aside subject to payment of

costs Rs. 100 and the case was fixed for filing a written statement by the management. The parties filed their pleadings and issues were framed on 31st March, 1980 and the case was fixed for the evidence of the management. On the last date of hearing the representative for the workman stated that he had no instructions from the workman and the workman is not interested in pursuing his case. In the circumstances stated above, I give my award that the workman is not interested in pursuing his case and there is no dispute now pending for adjudication between the parties.

Dated the 11th November, 1980.

M. C. BHARDWAJ,
Presiding Officer, Industrial Tribunal,
Haryana, Faridabad.

No. 1031, dated the 17th November, 1980

Forwarded (four copies) to the Secretary to Government, Haryana, Labour & Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

M. C. BHARDWAJ,
Presiding Officer, Industrial Tribunal,
Haryana, Faridabad.

No. 11(112)-80-8Lab/12981.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workmen and the management of M/s Raunaq and Company Pvt. Ltd., and Bharat Steel Rolling Mills, Mathura Road, Faridabad :—

BEFORE SHRI M. C. BHARDWAJ, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA,
FARIDABAD

Reference No. 35 of 1980

between

THE WORKMEN AND THE MANAGEMENT OF M/S RAUNAQ AND COMPANY PVT. LTD.,
AND BHARAT STEEL ROLLING MILLS, MATHURA ROAD, FARIDABAD

Present :—

Shri Gopal Gupta for the workmen.
Shri J. S. Saroha for the management.

AWARD

By order No. ID/FD/150-79/25455, dated 16th May, 1980, the Governor of Haryana referred the following dispute between the management of M/s Raunaq and Company Pvt. Ltd. and Bharat Steel Rolling Mills, Mathura Road, Faridabad and its workmen, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

- (1) whether the workmen should be supplied with uniforms and a pair of shoes ? If so, with what details ?
- (2) whether the workmen should be given house accommodation or rent in lieu thereof ? If so, with what details ?
- (3) whether the workmen are entitled to the grant of washing allowance ? If so, with what details ?
- (4) whether the workmen should be given milk and gur ? If so, with what details ?

On receipt of the order of reference, notices were issued to the parties. The parties appeared and prayed for settlement. On the date fixed the representative for the management stated that a settlement has been arrived at between the parties. The settlement is Exhibit M-1. And prayed that award be given in terms of the settlement.

In the circumstances, I give my award that the dispute has been settled between the parties and there is no dispute now pending for adjudication between the parties.

Dated, the 11th November, 1980.

M. C. BHARDWAJ,
Presiding Officer, Industrial Tribunal,
Haryana, Faridabad.

No. 1033, dated the 17th November, 1980

Forwarded (four copies) to the Secretary to Government, Haryana, Labour & Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

M. C. BHARDWAJ,
Presiding Officer,
Industrial Tribunal, Haryana, Faridabad.